

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

COREY MARROW,

Defendant.

ORDER

22-CR-00449-PMH

PHILIP M. HALPERN, District Judge:

On February 21, 2023, the defendant was sentenced principally to a term of imprisonment of 37 months. (Doc. 19).

On November 3, 2023, the Court granted the defendant's request for reappointment of CJA counsel in connection with the investigation of and, if appropriate, to pursue a motion for a sentence reduction based on Amendment 821 to the Sentencing Guidelines. (Doc. 23).

On December 22, 2023, a Supplemental Presentence Report was issued, which, *inter alia*, determined that Amendment 821 reduced the Guidelines range applicable in this case from the previously applicable range of 37 to 46 months' imprisonment, to a Guidelines range of 30 to 37 months' imprisonment. (Doc. 24; Doc. 25-2).

On January 3, 2024, defense counsel moved for a reduction of sentence. (Doc. 25). The Government responded on the same date, setting forth its position that the defendant's motion should be granted. (Doc. 26). The parties agree that the defendant is eligible for a sentence reduction under Amendment 821, and that his Guidelines range would now be 30 to 37 months' imprisonment, based on an offense level of 17 and a criminal history category of III. The parties further agree that consistent with the Court's comments at the time of the original sentence, and in

light of his post-sentencing conduct, the Court should resentence the defendant to the bottom of the amended Guidelines range.

The Court finds that the defendant is eligible for a sentence reduction and adopts the above calculations as to the defendant's Guidelines range.

Having considered the record in this case, the parties' arguments, the relevant Guidelines policy statements, and the factors set forth in 18 U.S.C. § 3553(a), it is

ORDERED that the defendant's term of imprisonment is reduced to 30 months' imprisonment. All other components of the sentence remain as originally imposed.¹

SO ORDERED.

Dated: White Plains, New York
January 4, 2024



PHILIP M. HALPERN
United States District Judge

¹ The consecutive sentence imposed on the Violation of Supervised Release (16-CR-00785) of 8 months is not affected by this Order.